Report to the

Senate Appropriations Committee on Health and Human Services

House of Representatives Appropriations Subcommittee on Health and Human Services

and

Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities and Substance Abuse Services

Monthly Report on Community Support Services

January 2009

Session Law 2007-323

House Bill 1473

Section 10.49.(ee)

February 28, 2009

North Carolina Department of Health and Human Services

Executive Summary

Legislation in 2007 required the Department of Health and Human Services to report monthly on the use and cost of Community Support services for persons with mental health, developmental, and substance abuse disabilities. This January 2009 report includes data on the past 18 months of services. The following highlights provide a summary of that information.

Highlights

- In November 2008, slightly over 22,000 children and slightly under 11,000 adults received Medicaid-funded Community Support services. Additionally, 682 children and adolescents and slightly under 3,500 adults received State and block grant funded Community Support services.
- Slightly under 399,000 hours of Medicaid-funded Community Support services, at a cost of approximately $20 million, were provided to children and adolescents in November 2008. State-funded Community Support services for children and adolescents totaled slightly over 5,700 hours and cost slightly under $293,000.
- Medicaid-funded Community Support services for adults totaled slightly under 150,000 hours in November 2008, at a cost of slightly under $8 million. Slightly over 17,000 hours of State-funded services for adults were provided that month, at a cost slightly under $873,000.
- In November 2008, the use of Medicaid-funded Community Support services averaged 21 hours per month for slightly over 10 months for children and adolescents and 17 hours per month for 12 months for adults. State-funded services were provided for half that long, on average, and at less than half of the intensity.
- As of January 31, 2009, 1,314 provider sites were actively enrolled with Medicaid to provide Community Support services and the enrollment of 579 providers had been terminated.
- 1,179 provider sites have been referred to the Division of Medical Assistance for further investigation. Of those, 39 have been referred to the Attorney General's Medicaid Investigation Unit.
- The greatest numbers of persons receiving Medicaid and State-funded enhanced services other than Community Support in November 2008 were found in assertive community treatment teams (slightly over 2,200) and psychosocial rehabilitation (slightly under 1,900).
- The highest average dollars of service per person served in November 2008 for Child and Adolescent services was intensive in-home for Medicaid-funded services (slightly over $2,500) and multi-systemic therapy for State-funded services (almost $2,300). For adults, Medicaid-funded community support team (slightly over $2,900) and non-hospital medical detoxification (slightly over $1,600) had the highest average.
- The most expensive enhanced services after Community Support (child and adolescent, and adult) in November 2008 were community support team at slightly under $7 million and intensive in-home services, at slightly over $3 million (Medicaid and State funds combined).

Table of Contents

Introduction

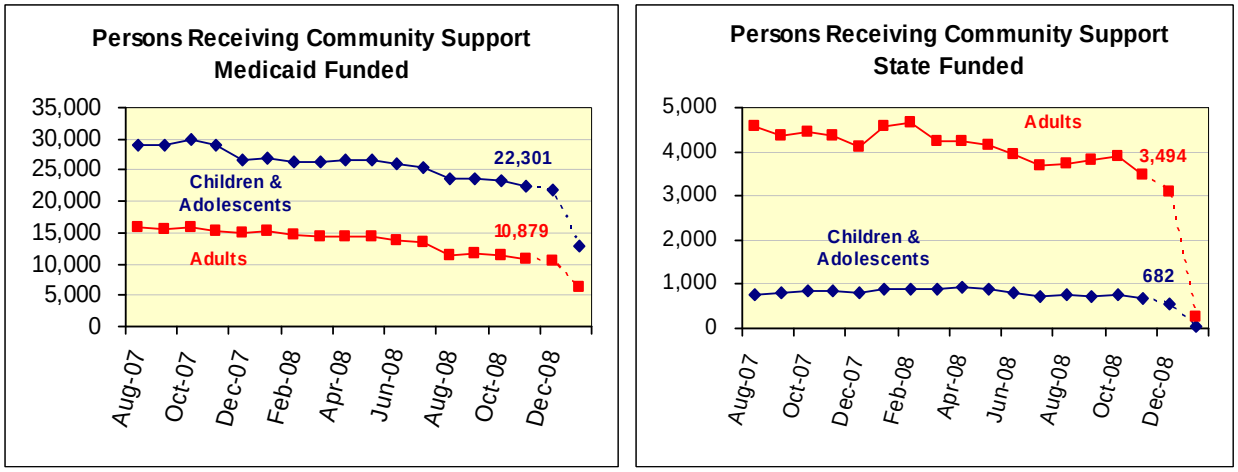
The *Monthly Report on Community Support Services* is presented in response to Session Law 2007-323, House Bill 1473, Section 10.49.(ee). The following pages show the utilization of Community Support and other Enhanced Benefit services from August 2007 to January 2009 (See page 16 for additional details). The use of Community Support services reached a peak in the spring of 2007 with over 41,000 persons being served at a cost of over $100 million dollars per month. When the rapid growth of Community Support was recognized, policy and rate changes (See Appendix B) were implemented. These changes have helped to reduce the overuse of community support and to move the system toward a more desired balance in utilization of the entire enhanced service array.

Use of Community Support Services

Number of Consumers

As indicated by Figure 1.1 below, the number of individuals receiving Medicaid-funded Community Support services continues to decline. About three times as many adults receiving Community Support are funded through Medicaid compared to State funds. Almost all children receiving Community Support are funded through Medicaid.

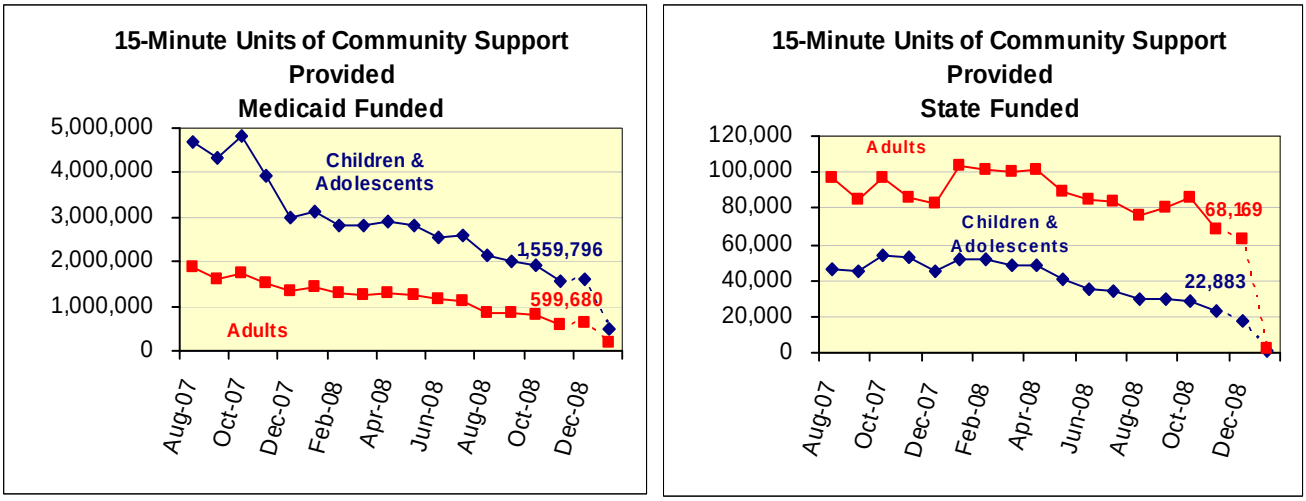
Figure 1.1
Medicaid and State-funded Services



Volume of Services

The units of service continue to decline for Medicaid and State-funded Community Support provided, as shown in Figure 1.2 below.

Figure 1.2
Medicaid and State-funded Services



Cost of Services

Figure 1.3 below shows the monthly cost of Community Support services. While costs for both payers continues to decline, Medicaid costs continue to far exceed State costs.

Figure 1.3
Medicaid and State-funded Services by Date of Service

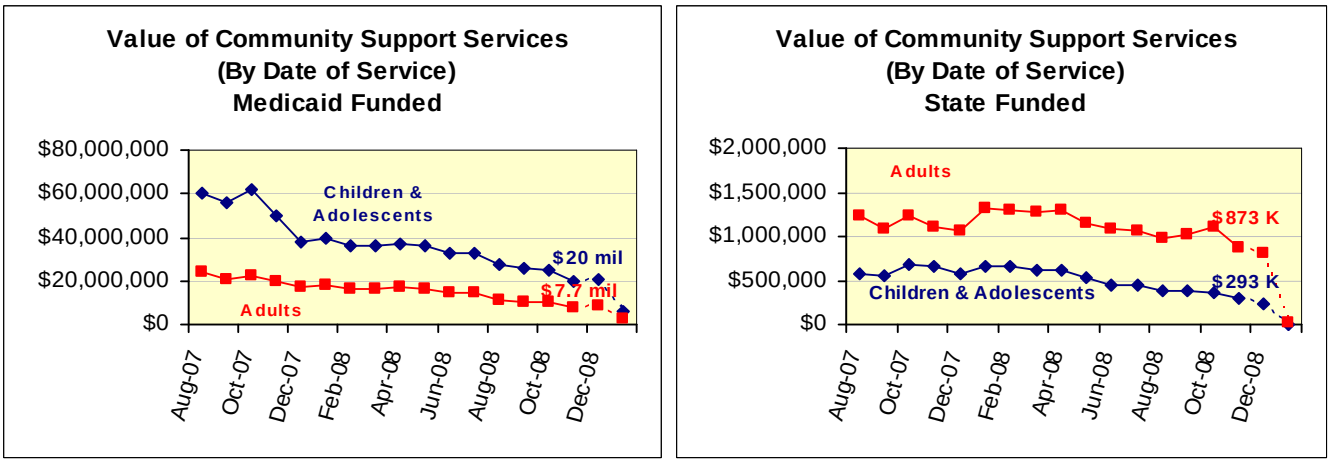
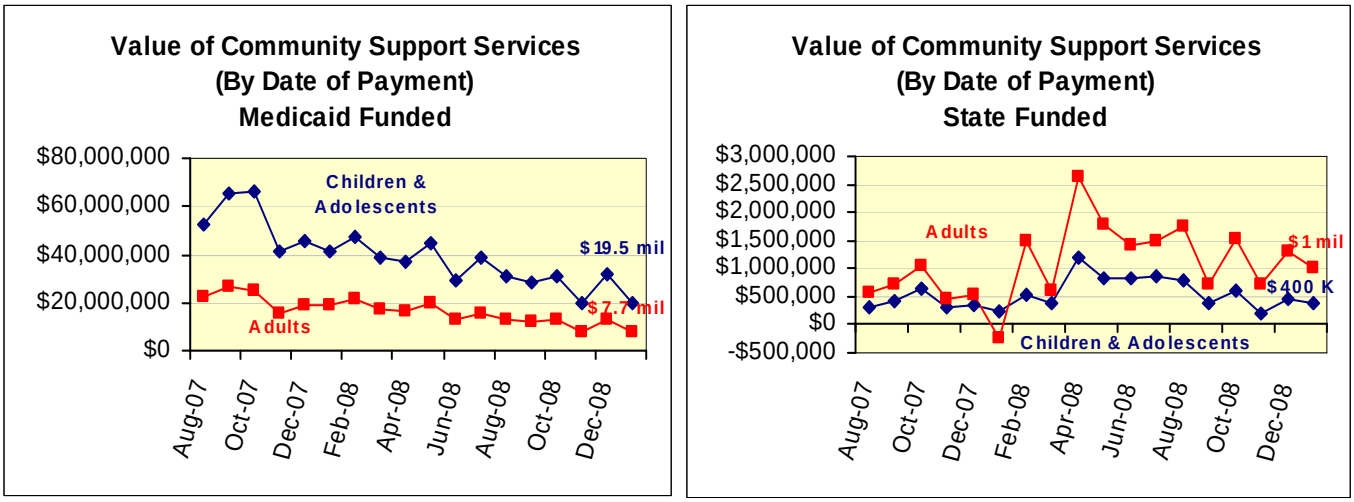


Figure 1.4[1]
Medicaid and State-funded Services by Date of Payment



Services by Qualified Professionals, Associate Professionals and Paraprofessionals

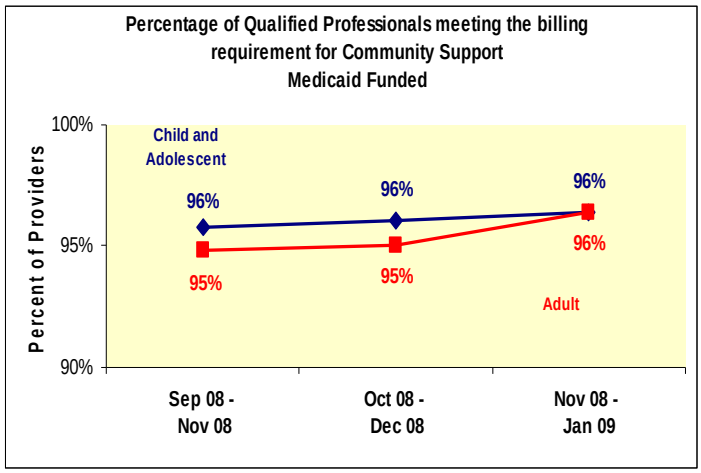
Within each provider agency enrolled to deliver Community Support services, the Qualified Professional (QP) is charged with the coordination and oversight of initial and ongoing assessment activities, ensuring linkages to the most clinically appropriate services, and with the facilitation of the Person Centered Planning process. To ensure adequate involvement and oversight by a Qualified Professional, clinical policy requires that a minimum of 25% of Community Support services per recipient be provided by the Qualified Professional over a "rolling" three month period (See Appendix B).

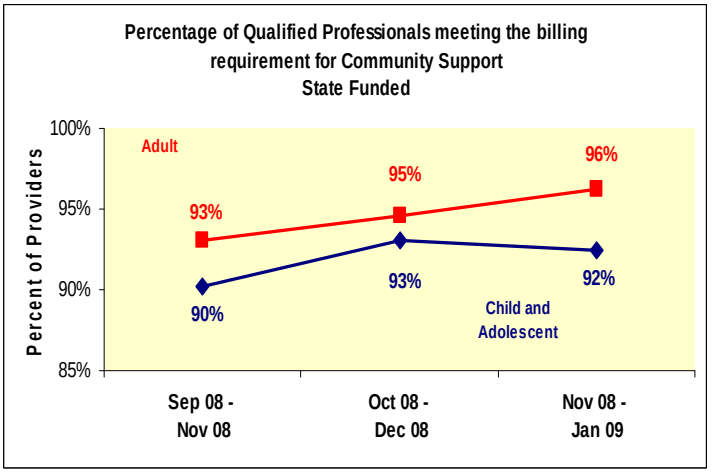
The data in Figure 1.5 on the following page, which represents Medicaid and State funded providers billing the required minimum qualified professional time for adults, and children and adolescents, indicates that providers are adhering to the QP requirement. In the same figure the pattern of billing for State-funded providers is similar for adults but slightly lower in all three quarters for children and adolescents.[2]

[1] In January 2008, the amount of community support services billed reflects an adjustment that exceeded the amount of dollars paid; therefore, the scale shows a negative amount of Community Support services billed through IPRS.

[2] The analysis includes services provided on or after March 1, 2008, when the requirement was implemented.

Figure 1.5
Medicaid and State-funded Services

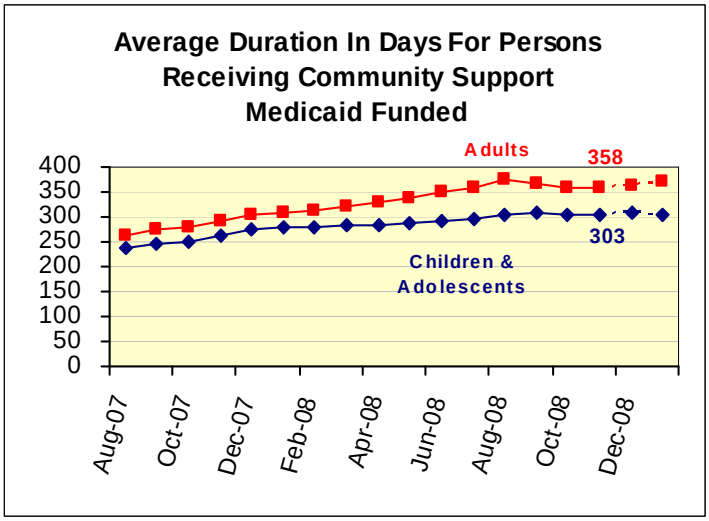


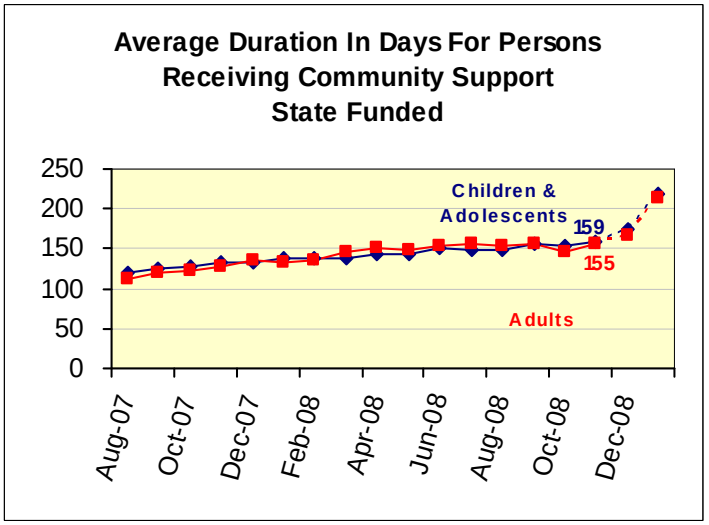


Intensity of Services (Length of Service and Hours per Person)

The *average length of service* or duration of services, as shown in Figure 1.6 below, shows a slight decline in the average number of days individuals funded by Medicaid remain in Community Support services. The *average length of service* for State-funded consumers is roughly half as long as for Medicaid consumers. Preliminary data for December and January 2009 suggests that average length continuing to rise.

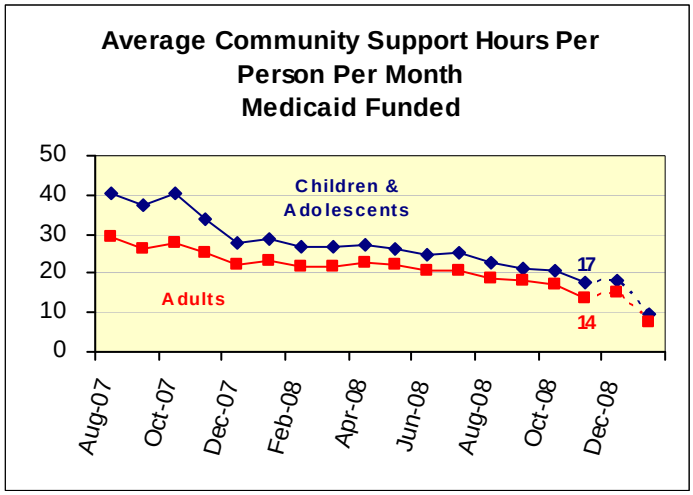
Figure 1.6
Medicaid and State-funded Services

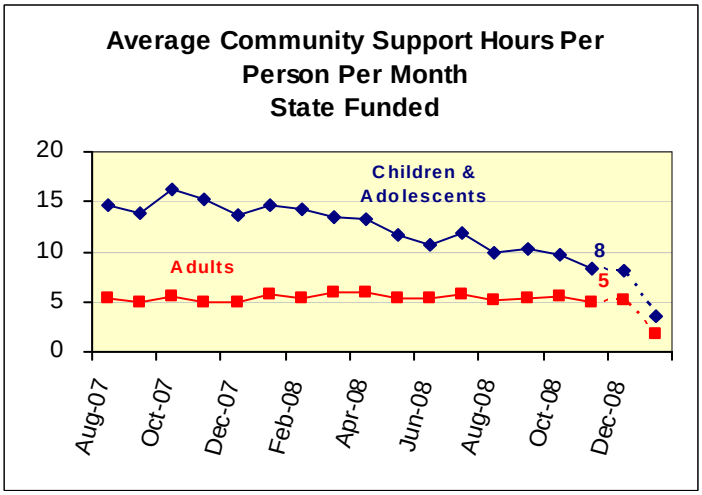




The average hours per person per month presents additional information for evaluating the intensity of the services provided. Figure 1.7 shows that the average hours per month for consumers receiving Medicaid funding has dropped to 17 hours for children and adolescents and 14 hours for adults. This is about twice as much as for State-funded children and 3 times as much as for State-funded adults.

Figure 1.7
Medicaid and State-funded Services



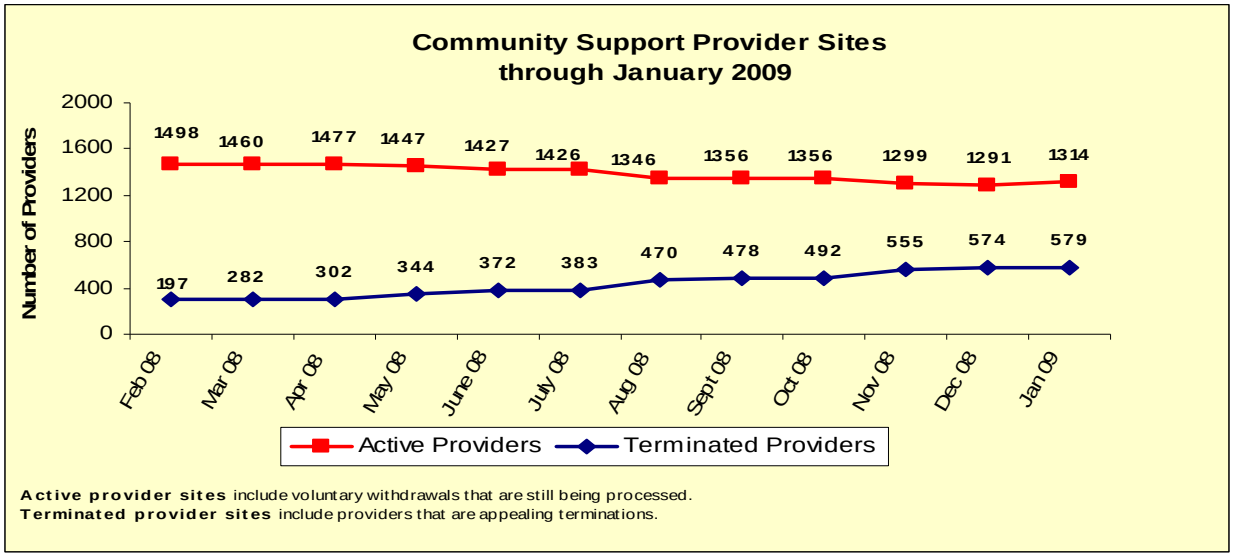


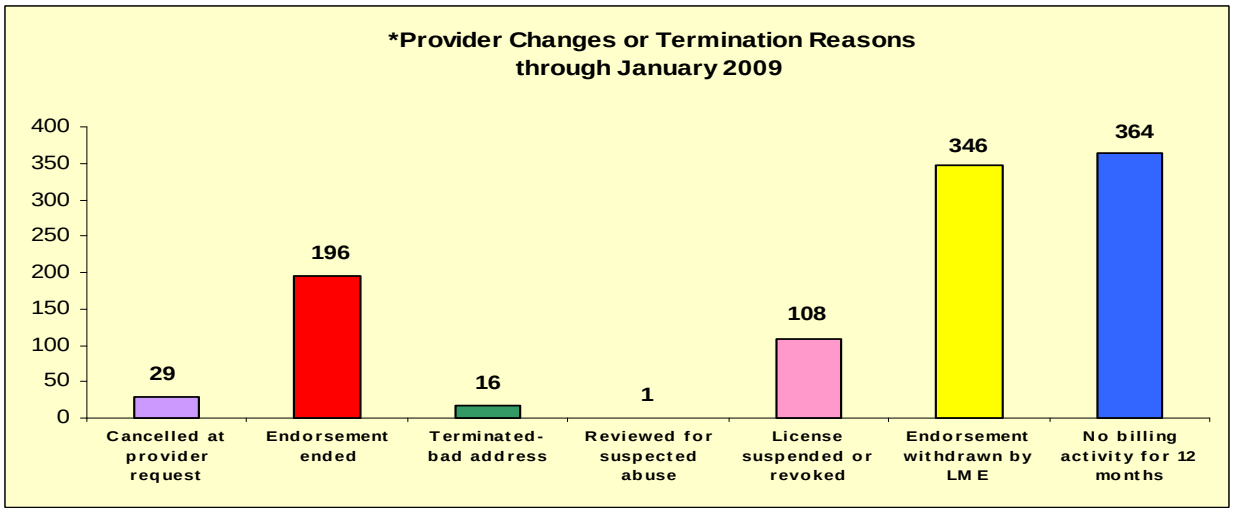
Community Support Providers

Number of Enrolled Providers

Since the enrollment of new Community Support providers was halted in November 2007, there has been an expected decrease in the number of active providers.[3] As of January 31, 2009 1,314 provider sites were actively enrolled to provide Community Support services, while enrollment for 579 provider sites was terminated.[4] In addition, the reasons for changes and terminations for the 579 providers terminated are outlined in the figure below. Withdrawn endorsement by the LME, and no billing activity for 12 months were the most frequent reasons for provider termination.

Figure 2.1





Current provider data was created on 2/6/09

[3] Providers are identified by the specific location from which services are delivered. A single business entity that has multiple enrolled sites is counted multiple times in Figure 2.1.

[4] The small increase in providers from January 2008 to April 2008 is the result of applications that were in process when the November 8, 2007 memorandum was issued halting enrollment. In addition, some terminated providers have been reinstated as a result of hearings where decisions were overturned and were moved to the "active provider" category.

Actions Taken and Providers Referred for Further Review

As shown in Figure 2.2, 1,179 Community Support providers were referred to the Division of Medical Assistance (DMA) Program Integrity (PI) Section. The fluctuation in the number of monthly PI cases opened reflect multiple cyclic review processes that include, but are not limited to; (1) the clinical post payment reviews, (2) complete service record reviews, (3) complaints, (4) DMH Accountability Spring/Fall Audits, and (5) DMH Accountability Investigative Findings. Due to the current volume of Community Support providers under review by the Program Integrity Section, the Rapid Action Committee will not review the cases prior to further action. To date, the Program Integrity Section has submitted 39 provider cases for referral to the Attorney General's Medicaid Investigation Unit (MIU).[5]

Figure 2.2

Community Support Providers Referred for Further Action
As of January 31, 2009

	Previous Totals	December Totals	January Totals	Cumulative Totals
Provider cases opened by DMA Program Integrity Section	1,145	8	26	*1,179
Providers Referred by DMA to Attorney General's Medicaid Investigation Unit	39	0	0	39

*777 cases originated from the LME reviews. The balance is from other referrals to PI. The number of provider cases may include a duplicate number of providers referred to PI. Data generated on 2/18/09.

Clinical Post-Payment Reviews

There have not been additional post-payment reviews since November 2007. When the next round of reviews are completed the results will be included in this report.

[5] Any direct referrals of community support providers to the MIU by agencies, families, or other stakeholders that do not pass through review by DMH or DMA will not be included in this report.

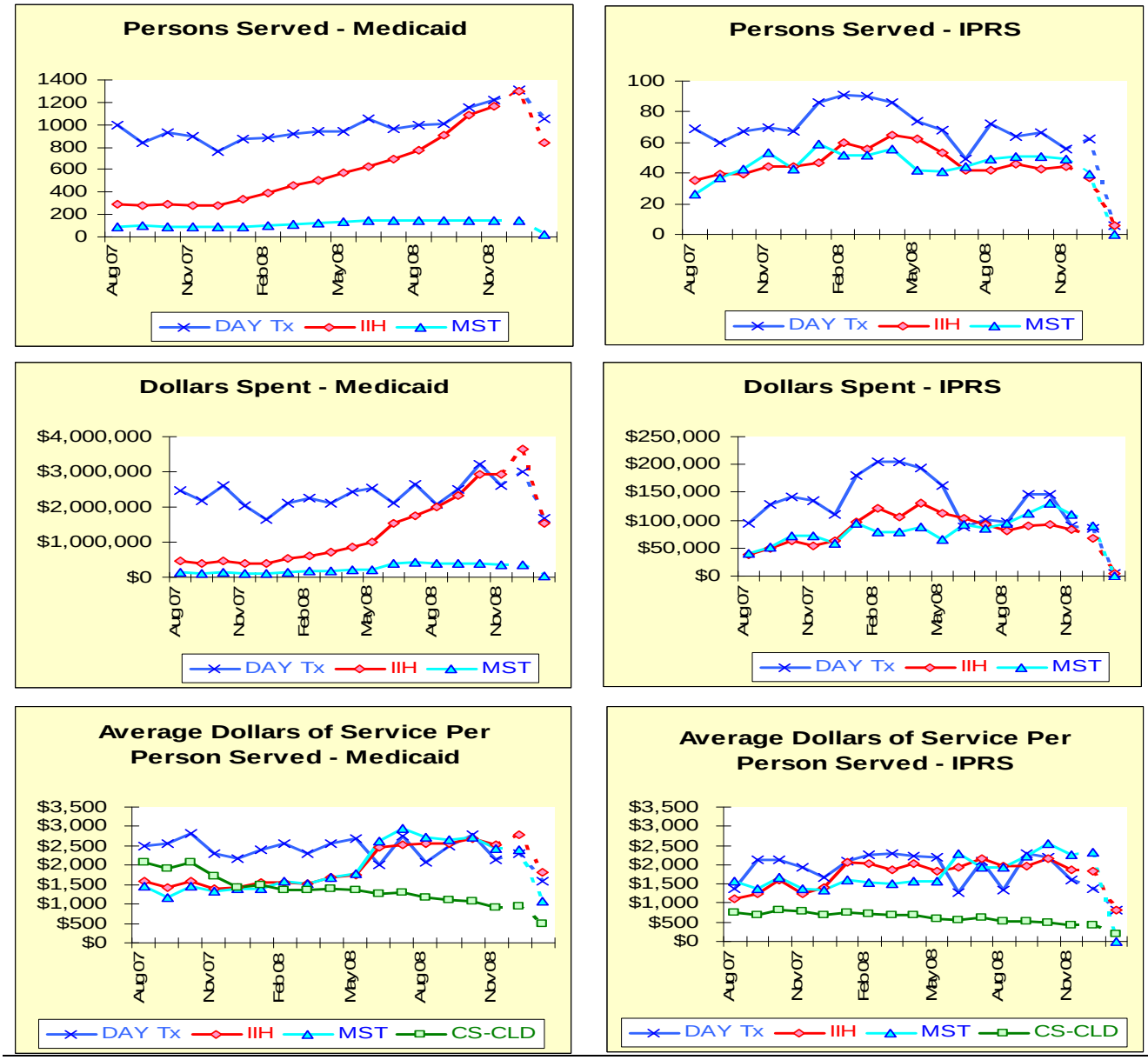
Enhanced Services

The number of individuals receiving other enhanced services in November 2008 remained much lower than the number of individuals who received Community Support during the same month (refer to Figure(s) 1.1 and Figure 1.2 on pages 3 and 4). The figures below represent the following four categories of other enhanced services: Services to Children and Adolescents; Services to Adults; Substance Abuse Services; and Crisis Intervention Services.

Children and Adolescents

As shown in Figure 3.1 below, children and adolescents receiving Medicaid-funded Intensive In-Home (IIH) and Day Treatment (DAY Tx) continues to increase, while the number of persons receiving State-funded services has fluctuated.

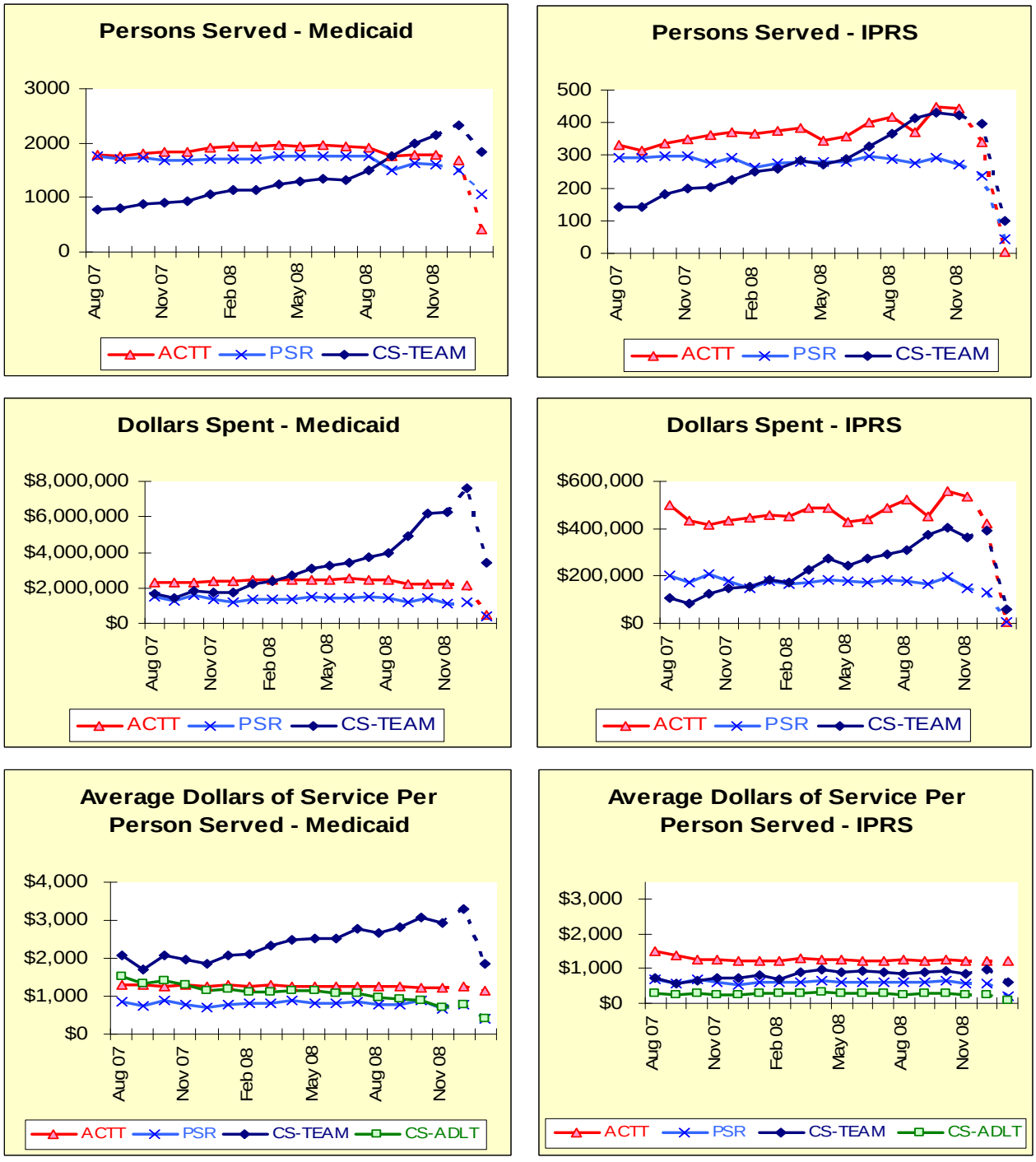
Figure 3.1
Medicaid Services and State-funded Services for Children and Adolescents



Adults

Over the past 18 months the number of adults receiving Medicaid-funded Assertive Community Treatment Team (ACTT) and Psychosocial Rehabilitation (PSR) has decreased, while Community Support Team (CS-TEAM) continues to increase. In addition, the amount of CS-TEAM services per adults have increased. State-funded Assertive Community Treatment Team (ACTT) and CS-TEAM has continued to increase over the past 18 months, while PSR has decreased slightly over the same period (Figure 3.2).

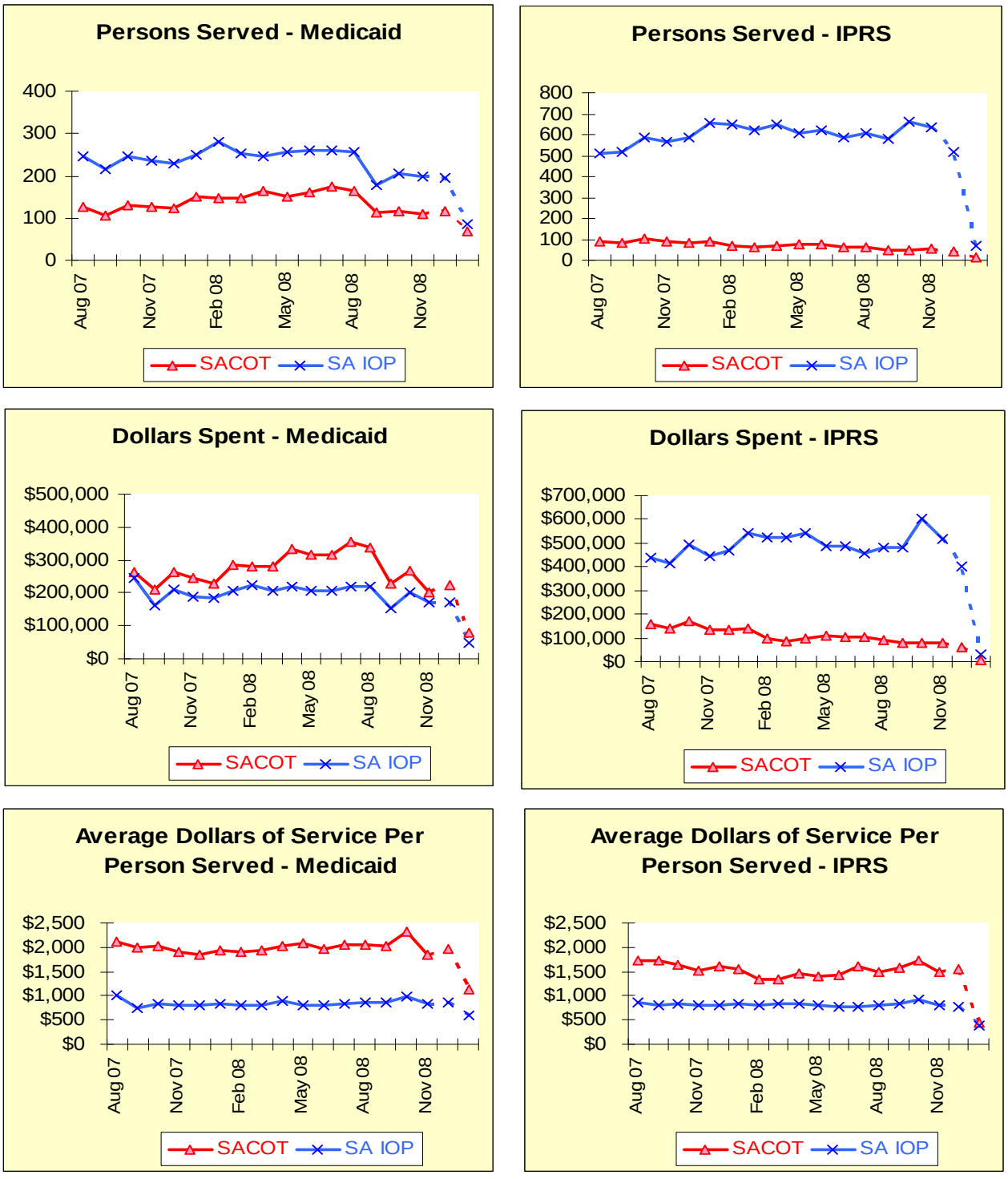
Figure 3.2
Medicaid Services and State-funded Services for Children and Adolescents



Substance Abuse Services

In Figure 3.3 below, the number of individuals receiving Medicaid-funded Substance Abuse Intensive Outpatient Program (SA IOP) services and Substance Abuse Comprehensive Outpatient Treatment (SACOT) services has decreased since July 2007. During the same period State-funded SACOT decreased, while SA IOP has increased slightly since January 2008.

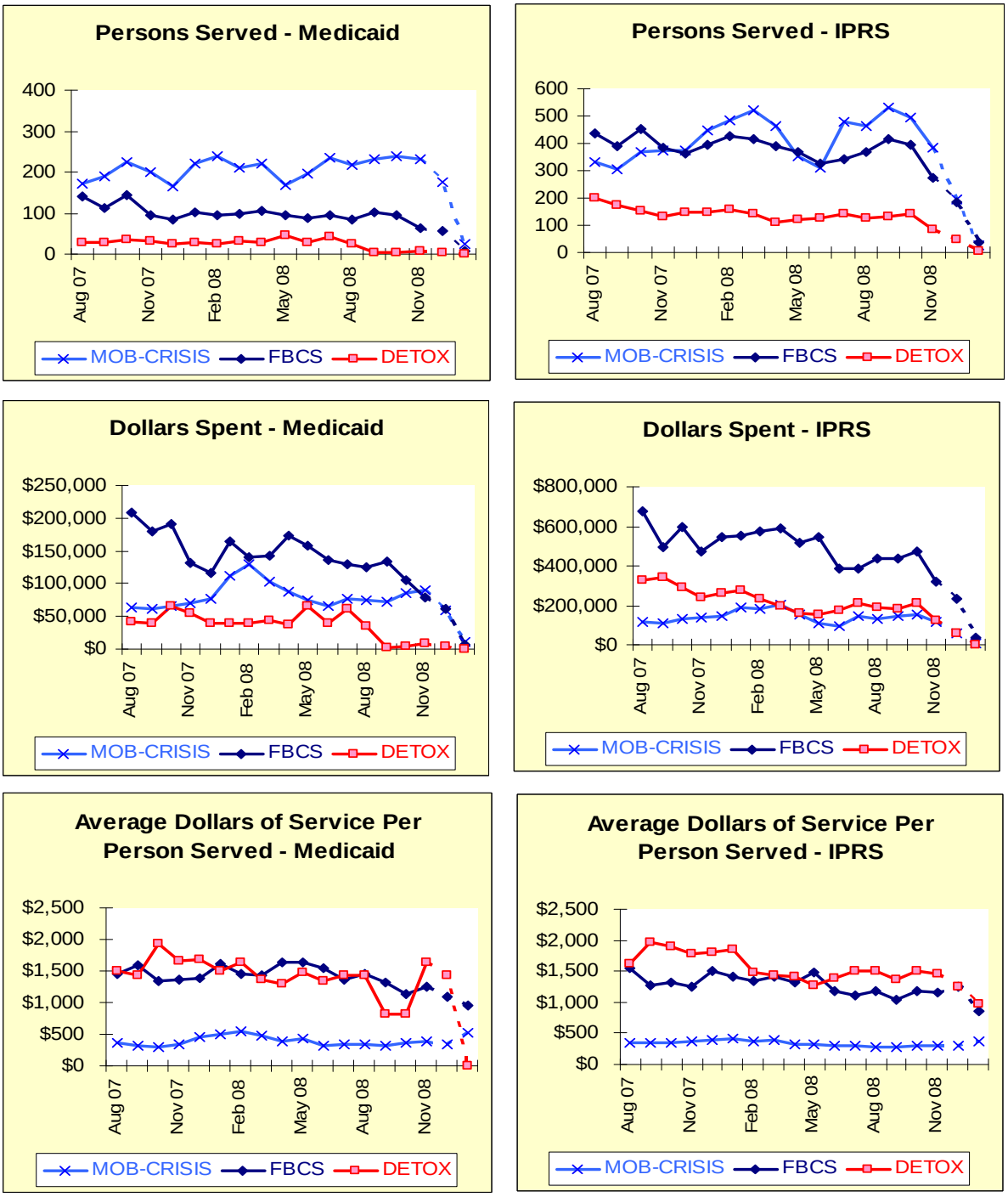
Figure 3.3
Medicaid Services and State-funded Services for Substance Abuse



Crisis Services

As shown in Figure 3.4, Medicaid and State-funded Facility Based Crisis Program Services (FBCS) and Non-Hospital Medical Detoxification (DETOX) services has decreased, while Mobile Crisis Management (MOB-CRISIS) has increased slightly.

Figure 3.4
Medicaid Services and State-funded Crisis Services



Conclusion

Overall, the use of Community Support services has continued to decrease over the past 18 months while the use of other Enhanced Benefit Services are beginning to grow. Recent legislative and policy changes, such as the Department's revision of the rates for Enhanced Benefit Services, are beginning to have an impact on the use of Community Support and other Enhanced services detailed in this report. The Department is closely monitoring the expenditures and utilization of Intensive In-Home services for children and adolescents and Community Support Team for adults since billings for those services have increased significantly over the past 18 months.

Appendix

Appendix A

Legislative Background

Session Law 2007-323, House Bill 1473, Section 10.49.(ee) requires the Department of Health and Human Services to "[evaluate] the use and cost of Community Support services to identify existing and potential areas of over utilization and over expenditure." Section 10.49(ee)(10) further stipulates that the Department will:

> *"Beginning November1, 2007, and monthly thereafter, report to the Senate Appropriations Committee on Health and Human Services, the House of Representatives Appropriations Subcommittee on Health and Human Services, and the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities, and Substance Abuse Services. The report shall include the following:*
>
> *a. The number of clients of Community Support services by month, segregated by adult and child;*
> *b. The number of units of Community Support services billed and paid by month, segregated by adult and child;*
> *c. The amount paid for Community Support by month, segregated by adult and child;*
> *d. Of the numbers provided in sub-subdivision b. of this subdivision, identify those units provided by a qualified professional and those provided by a paraprofessional;*
> *e. The length of stay in Community Support, segregated by adult and child;*
> *f. The number of clinical post payment reviews conducted by LMEs and a summary of those findings;*
> *g. The total number of Community Support providers and the number of newly enrolled, re-enrolled, or terminated providers, and if available, reasons for termination;*
> *h. The number of Community Support providers that have been referred to DMA's Program Integrity Section, the Division's "Rapid Action response" committee; or the Attorney General's Office;*
> *i. The utilization of other, newly enhanced mental health services, including the number of clients served by month, the number of hours billed and paid by month, and the amount expended by month."*

Appendix B

Summary Notes

About the Data: The January 2009 Community Support report includes historic data for 18 months, which helps to identify trends in the use of Community Support services. The data span Medicaid-funded and State and block grant funded services paid through IPRS. The data – with the exception of Figure 1.4 – are based on the *date of service*, rather than the *date of payment*, as this gives a more accurate description of the actual trends in use of services. (See "Cost of Services" below for more information.)

Caution is necessary in interpreting date of service information for the most recent months. These data are likely to be incomplete due to delays in providers' submission of service claims. Data for the two most recent months is represented by dotted lines (- - - -) in the graphs.

Medicaid funding defines children as ages 0-20; State funding defines children as ages 0-17. No Medicaid data from Piedmont Behavioral Healthcare is included in the analysis because it is the only LME that has an approved waiver through the Centers for Medicare and Medicaid Services.

Cost of Services (Page 4)

In order to present the most accurate picture of the cost of Community Support services, two methods of calculating expenditures are included.

- Patterns in service costs are calculated based on the *date of service*. These data (see Figure 1.3) provide a good representation of trends in *actual use and cost of services* each month. However, dollar amounts for the two most recent months require cautious interpretation. Due to the time needed for claims submission and processing, expenditures shown for these most recent months are likely to be incomplete.[6]
- Patterns in service payments are calculated using the *date of payment* of the service claim.[7] This information (see Figure 1.4) provides a timely representation of trends in *actual funds expended* from month to month, including the most recent months. However, information based on date of payment is less helpful for evaluating or predicting trends in use of Community Support services, due to variability in providers' claims submission practices and the number of check-write cycles that occur each month.

Services by Qualified Professionals and Paraprofessionals (Page 5)

- *Implementation Update #45 (July 7, 2008)* clarifies the 25% aggregate service requirement. One major change is that provider compliance will be measured over a "rolling" three month period of time. Providers will also have the right to appeal any decision to withdraw endorsement, based on their ability to document billable services delivered during the three month period.
- *Implementation Update #46 (July 18, 2008)* outlines legislative changes that will impact all costs reported and hours billed per person in all future Community Support reports. As of August 1, 2008 all community support services are subject to prior approval, and Community Support services will be limited to 8 hours per week without prior authorization.

[6] Each monthly report includes updated expenditures for previous months to reflect additional claims as they are paid.

[7] Calculations of service value based on the date of payment include payment adjustments. Calculations based on the date of service do not.

- *Clarification of Implementation Update #47 (August 4, 2008)* outlines the submission of proposed tiered rate changes, which will increase the percentage of services billed and delivered by Qualified Professionals to 50%. Providers will have eight months after the implementation of the tiered rates to meet the 50% standard.
- *Implementation Update #48 (September 2, 2008)* outlines rate changes for all Medicaid and State-funded Enhanced Benefit services.
- *Implementation Update #49 (November6, 2008)* outlines changes in the provider status, a date change to January 1, 2009 for three of the Enhanced Benefit Services, suspension of monitoring the 25% Qualified Professional requirement for State-funded Community Support, and a reminder to LME's to begin notifying providers that have not met the 25% requirement.
- *Implementation Update #50 (November 3, 2008)* outlines preliminary results from 2008 Community Support Medicaid Audits.
- *Implementation Update #51 (December 1, 2008)* outlines how providers can notify the Division of Medical Assistance on their current enrollment status.
- *Implementation Update #52 (January 16, 2009)* outlines the new tiered rates for Community Support services and new modifiers for Qualified Professional and non-Qualified Professional staff. Any claims submitted after January 22, 2009 will need to be billed using the new tiered rates process.
- *Implementation Update #54 (March 2, 2009)* outlines the new tiered rates for Community Support Child, Adult and Group. The update also includes the new Community Support service definition and the calculation of the new Community Support Qualified Professional standard.